



Traffic Services Section Michigan State Police Field Update #1

Providing Traffic Related Information and Services to Michigan Law Enforcement

Section Phone (517) 336-6171

www.michigan.gov/msp-traffic

Fax (517) 336-6259

Introduction

This publication is the first of a series intended to provide information to the law enforcement community on current topics relating to traffic safety and traffic enforcement. Each update may address questions from the field received by the Traffic Services Section, or may contain information on equipment, legislation, training, and enforcement efforts. Additional information can be obtained at the Traffic Services Section [webpage](#), or by contacting a specific unit directly at the numbers below. If viewing an electronic version, use the links to visit the various websites or send questions by e-mail.

School Bus Hazard Light Stops

[MCL 257.1855](#) allows for the use of hazard lights instead of flashing overhead red lights under certain conditions when pupils are not required to cross the road, and traffic is able to legally flow around the bus to the left. [Additional information](#) and a [slideshow](#) explaining the circumstances under which this type of stop can be used are available on the website.

Safety Belts and Child Restraints

Based on the number of calls received by the section, there seems to be a great deal of confusion among the general public over the issue of who is required to wear safety belts, and at what age (height, weight, etc.) a child can switch to a safety belt instead of a child restraint system. This confusion has been compounded by the publication of a card entitled "Michigan's Safety Belt Law Enforcement Guide." The original undated version of the card could be interpreted to imply that exemptions existed for several types of vehicles that were not exempted, specifically trucks over 10,000 pounds and taxi cabs. These cards, intended solely for law enforcement use in making a determination to stop a vehicle based on visible non-use of a shoulder belt, have found their way into the hands of truck drivers and taxi drivers who occasionally use them when challenging tickets. The [2002 revision](#) reformatted the information, allowing for appropriate interpretation.

[MCL 257.710d](#) requires that all children under age 4 must be properly secured in an approved child restraint system. There are no height and weight restrictions in the law, but manufacturers have height and weight limitations in place for the various systems. [MCL 257.710e](#) requires that all drivers, front seat passengers, and rear passengers "4 years of age or more but less than 16 years of age" must wear a properly adjusted and fastened safety belt. There are limited exemptions to each of the laws. The terms "properly secured," "properly adjusted and fastened," and "approved child restraint system" mean that the restraint system or belt must be used as specified by the manufacturer, as tested to meet the Federal Motor Vehicles Safety Standards.

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[Section Commander](#)
[Speed Measurement Unit](#)

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(517) 336-6121
(517) 336-6611
(517) 336-6651

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[Section Technician](#)
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(517) 336-6579
(517) 336-6685
(517) 336-6171
(517) 336-6660



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Winter Enforcement Tips

Plow truck lights

The Traffic Services Section (TSS) has received numerous calls from the field inquiring about the use of flashing, oscillating, or rotating overhead lights in use by some private snow plow operators. While a private plow vehicle may be equipped with an amber light pursuant to [MCL 257.698\(5\)\(f\)](#), there is no legal authority for private plow operators to use these lights while traveling on the road. A private plow operator may use a flashing, oscillating, or rotating amber light for safety only while on private property, or when incidentally entering a street during active plowing. Violation is a 90-day/\$100 misdemeanor. Plow vehicles belonging to the Michigan Department of Transportation, a county road commission, or a municipality are allowed to use these lights while on the highway pursuant to [MCL 257.698\(5\)\(d\)](#).

Depositing snow in the street

Pursuant to [MCL 257.677a\(4\)](#), it is a 90-day/\$100 misdemeanor to "deposit, or cause to be deposited, snow, ice or slush on any [roadway](#) or [highway](#)." By definition, a highway or street is "the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel" and includes the roadway, shoulders, ditch slopes, and sidewalks.

As always, common sense and good judgement should be used when taking enforcement action.

RADAR and LIDAR Information

The Traffic Services Section maintains the website for the [Michigan Speed Measurement Task Force](#) (MSMTF). There are several helpful links on the MSMTF website, including information on current RADAR/LIDAR [equipment on state contract](#), upcoming RADAR/LIDAR [instructor training](#), and RADAR/LIDAR equipment [replacement certificates](#). Additional [information](#) on instrument certification and operator qualification is also available on the TSS website.

Traffic Crash Reconstruction Unit Update

All department [Traffic Crash Reconstructionists](#) are now equipped with Crash Data Retrieval System (CDR) Kits with the ability to download information from nearly all GM vehicles from 1996 to present and many Ford vehicles from 2001 to present. Information available depends on the year and model of the vehicle. Additional [information](#) on other services provided by the unit is available on the TSS website.

The vacant position at First District has been filled. Spl/Tpr. Allan Avery has been selected as the new First District Traffic Crash Reconstructionist effective January 16, 2005, and will receive his advanced training in February and March.

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BAC DataMaster Training

Training dates for 2005 have been finalized. Details can be found on the Traffic Services Section [website](#).

PBT Grant

The [Alcohol Enforcement Unit](#) is purchasing 1,739 new Lifeloc FC-10 Preliminary Breath Test instruments to distribute to law enforcement agencies in Michigan. A letter explaining the details of the application process will be sent to the head of each law enforcement agency and Michigan State Police post in March. Applications must be returned to the Alcohol Enforcement Unit by the deadline specified in the letter in order to be considered.

Useful Websites

Michigan Compiled Laws Index <http://www.michiganlegislature.org/mileg.asp?page=chapterindex>

Michigan Legislature (current laws, pending legislation) <http://www.michiganlegislature.org/>

Michigan Judicial Institute—Traffic Benchbook <http://courts.michigan.gov/mji/resources/traffic/traffic.htm>

Michigan Speed Measurement Task Force <http://www.michigan.gov/msmtf>

Michigan Vehicle Code <http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=mcl-Act-300-of-1949&highlight>

Uniform Traffic Code for Cities, Townships, and Villages (UTC) http://www.michigan.gov/documents/UTC_50201_7.pdf

UTC Conversion (old rule numbers to new and MVC) http://www.michigan.gov/documents/UTCConversion_chart_71189_7.pdf

Field Update E-Mail List

The Traffic Services Section has received numerous requests to be notified of future Field Updates by e-mail. To be placed on a group e-mail list, please notify the [Vehicle Code Unit](#). Because this is a mass mailing, some spam filters may not allow the update to come through without adding the sender's e-mail address to an approved list.

Suggestions for future topics can also be sent to the Vehicle Code Unit.

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Tow Dollies

Tow dollies are two-wheeled towing devices used to transport vehicles by supporting one axle on the dolly, with the other axle on the road. A 1985 agreement between the Michigan State Police and the Michigan Department of State considers them as "coupling devices" rather than trailers in Michigan. The Michigan Department of State will not issue a registration plate for a tow dolly. Do not stop vehicles or issue citations for failing to display a registration plate on a tow dolly.

Gopeds and Pocket Bikes

With warmer weather approaching, motorized scooters (gopeds) and miniature motorcycles (pocket bikes) are once again becoming an issue on Michigan roads. Gopeds generally meet the definition of moped under [MCL 257.32b](#), but are not usually equipped as required for registration by the Secretary of State. Some pocket bikes also meet the definition of moped, but most exceed the limits of 2.0 hp, 50cc piston displacement, or 30 mph top speed. For electric scooters, 2.0 hp is equal to 1500 watts and the 50cc piston displacement is irrelevant, as a vehicle without a piston cannot exceed 50cc piston displacement. Those gopeds and pocket bikes that exceed any of these limits become motorcycles under [MCL 257.31](#) if they have a saddle or seat, or off-road vehicles under [MCL 324.81101\(m\)](#). Regardless of which of the above classifications are met, gopeds and pocket bikes are motor vehicles under [MCL 257.33](#) and subject to all applicable traffic laws. Unless legally registered, they are not legal for use on roads in Michigan, and are never legal for use on sidewalks. Contact the [Vehicle Code Unit](#) for additional information.

UD-10 Traffic Crash Report Information

The Criminal Justice Information Center (CJIC) Traffic Crash Unit is planning their annual UD-10 Train the Trainer sessions for 2005, and is in the process of searching for agencies willing to host this training. The criteria for hosting these training sessions are the capacity to hold 25+ people and the equipment for a PowerPoint presentation. Mr. Michael Ransom, a new CJIC staff member, will be the instructor, and brings fresh ideas on making the training more informative and interesting. If interested in hosting a training session, please contact Mr. Ransom by email at ransomml@michigan.gov or phone at (517) 322-5418.

The UD-10 Instruction Manual was revised in May 2004. Please visit the [CJIC web page](#) to view or download the [manual](#). In addition, you will find other useful information including Frequently Asked Questions, [Most Common Errors](#), and a [request form](#) for access to the Traffic Crash Web Site.

CJIC Traffic Crash Report web page: <http://w3.michigan.gov/msp/0,1607,7-123--28578--,00.html>

Problems with Web Links in These Documents

For some readers using older versions of Adobe® Reader® (5.0 and earlier), some links may not work properly. While the cause is unknown, it appears that the problem can be remedied by installing a newer version of the [free](#) software. Click on the link below (or type it into your web browser) to download a newer version.

Adobe® Reader® download page: <http://www.adobe.com/products/acrobat/readstep2.html>

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